

The repression of opposition parties and independent media outlets in the Republic of Congo continued in 2014 as rumors flew that President Denis Sassou-Nguesso was making moves to modify the constitution and run for another term as president.

Congo is one of sub-Saharan Africa's major oil producers, but corruption and decades of instability have contributed to poor humanitarian conditions and extreme poverty for much of the population. Congo was ranked 140 out of 187 countries on the 2014 UN Human Development Index.

Political Rights and Civil Liberties:

Political Rights: 7 / 40 [Key]

A. Electoral Process: 1 / 12

The 2002 constitution limits the president to two seven-year terms, although Sassou-Nguesso has held office since seizing power in 1997 after a brief civil war; he had previously been president from 1979 until 1992. In 2009, Sassou-Nguesso eliminated the post of prime minister, consolidating executive power for himself. The Senate consists of 72 members, with councilors from each department electing six senators for six-year terms. Half of them come up for election every three years. Members of the 139-seat National Assembly are directly elected for five-year terms. Irregularities, opposition boycotts and disqualifications, and the absence of an independent electoral commission consistently tarnish elections in Congo.

Sassou-Nguesso was reelected in 2009 with 78 percent of the popular vote in a peaceful election that was deemed free by African Union observers, but marked by accusations of fraud by the opposition and a domestic rights group. Rumors abounded throughout 2014 that Sassou-Nguesso was positioning himself to modify the constitution to allow himself another term in office, though no formal measures were taken in 2014.

Sassou-Nguesso's Congolese Labor Party (PCT) took 89 of the 139 available seats in the 2012 National Assembly elections. The PCT and its allies now control 117 of the body's seats. The elections were marred by accusations of fraud, low voter turnout, and postelection violence. Many opposition parties boycotted September 2014 departmental and municipal elections, and turnout was notably low. Indirect Senate elections took place in October 2014 for 36 of the seats. Parliament also passed a new electoral law establishing procedures for the next round of elections; the opposition criticized the new law for cementing the regime's control over the electoral commission.

The electoral law mandates that party lists comprise minimum percentages of women at both the local and national levels, but the law lacks enforcement mechanisms and is routinely ignored by parties.

B. Political Pluralism and Participation: 3 / 16

Most of the more than 100 registered political parties in Congo are personality driven and ethnically based. Members of Sassou-Nguesso's northern Mbochi ethnic group dominate key government posts, while the opposition remains weak and fragmented and faces official harassment. The PCT and its allies control the

majority of Congo's National Assembly seats and hold most senior positions in the government. Voters elected seven candidates from UPADS in 2012, but the courts overturned the election of four of these candidates. In April 2014, two opposition supporters were arrested for wearing t-shirts that stated "Do not touch the 2002 Constitution" and had an image of a skull.

Indigenous populations, who are mostly from the Baka ethnic group, are rarely registered to vote and are generally excluded from the political process.

C. Functioning of Government: 3 / 12

Corruption, especially in the extractive industries, remains pervasive in Congo. Although the country became fully compliant with the Extractive Industries Transparency Initiative (EITI) in 2013, significant funds from the oil sector are still reportedly lost to corruption. The state oil company is directly under the control of the president's family and advisers, and recent investigations have revealed the company has been used to siphon money to the regime's favored associates.

French authorities have been investigating Sassou-Nguesso and his family for the alleged embezzlement of public funds since 2007. Congo has several active anticorruption bodies, but domestic prosecutions for corruption have been limited and are often politically motivated when they do occur. Congo was ranked 152 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

Civil Liberties: 23 / 16

D. Freedom of Expression and Belief: 8 / 16

While the constitution provides for freedom of speech and of the press, the government's respect for press freedom is limited in practice. Speech that is perceived as inciting ethnic hatred, violence, or civil war is illegal, and the government can impose fines for defamation and incitement to violence.

In September 2014, Elie Smith, a Cameroonian journalist, was attacked in his home, allegedly because he was perceived as being sympathetic to the opposition, despite working for a progovernment broadcaster. Days later, a Congolese journalist reporting on his attack was expelled to Mali. Smith himself was also expelled at the end of the month.

The biweekly newspaper *Talassa*, which is critical of the government, was banned from publishing for four months in February. In May, the government withdrew the paper's parent company's certificate of declaration, thus jeopardizing its legal right to existence, on the grounds that it violated a 2011 law banning a monopoly of ownership in communication and information. Similar companies with multiple media holdings sympathetic to the ruling party were spared similar actions.

With no nationwide radio or television stations, most citizens get their news from local broadcast sources. The state publishes the only daily newspaper. The government systematically censors journalists and uses government-owned media to counter critical reports in the independent media. Self-censorship among journalists is also common. Most of the newspapers published in Brazzaville are privately owned, and some print articles and editorials critical of the government. There are no government restrictions on internet access.

Religious freedom is generally respected. However, an influx of Muslim refugees from neighboring countries in recent years has fueled resentment among locals, leading to an uptick in anti-Muslim discourse in the public sphere and tensions in mixed areas.

Academic freedom in Congo is tenuous. Most university professors practice self-censorship in regard to politically sensitive topics, and many work as paid consultants for the government, compromising the potential for critical inquiry. In November 2014, two professors at Marien Ngouabi University were arrested and a third was threatened with detention, ostensibly due to their criticisms of the government and affiliation with the opposition.

E. Associational and Organizational Rights: 6 / 12

Freedoms of assembly and association are provided for in the constitution, though security forces have shown little tolerance for political demonstrations. Groups must receive official authorization to hold public assemblies. On several occasions in 2014, security forces violently dispersed gatherings, particularly among the political opposition, for alleged failure to obtain prior authorization. Nongovernmental organizations generally operate without interference, but they cannot challenge the ruling elite.

Workers' rights to join trade unions, to strike, and to bargain collectively are nominally protected, but only intermittently enforced. Most workers in the formal business sector belong to unions, which have also made efforts to organize in informal sectors such as agriculture and retail trade. Members of the security forces and other essential services are not allowed to form unions. In January 2014, employees of Marien Ngouabi University launched a strike demanding an increase in pay, which the government later granted. Also in January, the main teachers' unions in Congo called a general strike demanding better pay and benefits. The authorities responded aggressively, with a judge banning organizing efforts on the part of the unions and security forces harassing key union leaders.

F. Rule of Law: 2 / 16

Congo's underfunded judiciary is subject to corruption and political influence and crippled by institutional weakness and a lack of technical capability. Traditional courts dominate the judicial system in rural Congo, presiding over local property, inheritance, and domestic cases.

The government generally maintains control over security forces, though in some instances members of the security forces violate rights with impunity. The Human Rights Commission (HRC), charged with addressing complaints about abuses committed by security forces, is largely ineffectual. Reports of arbitrary arrests and custodial torture continued in 2014. Prison conditions are life threatening. The death penalty is still on the books, though executions are not carried out.

In 2013, General Norbert Dabira was briefly arrested in France for crimes against humanity due to his alleged role in the disappearance of 350 Congolese refugees in 1999 during the country's civil war. He was released pending his trial, and petitioned French courts to dismiss the indictment. In October 2014, his petition was rejected, allowing the case against him in France to proceed.

Indigenous groups are often concentrated in isolated rural areas, and urban neighborhoods tend to be segregated. These groups are actively discriminated against in hiring and other areas. Congo's 2011 law

on indigenous rights has had minimal effect.

While no law specifically prohibits same-sex sexual relations between adults, people found to have committed a “public outrage against decency” face punishments of up to two years in prison. The law prescribes up to three years in prison for same-sex relations if one participant is under the age of 21. Nevertheless, these are rarely enforced. Two gay rights groups exist in the country, focusing almost exclusively on the rights of gay men and HIV/AIDS issues.

G. Personal Autonomy and Individual Rights: 7 / 16

Historically, harassment by military personnel and militia groups inhibited travel, but in recent years reports of these types of obstacles have markedly declined. The judicial system offers few protections for business or property rights.

The year 2014 was defined by a controversial mass deportation of refugees hailing from the Democratic Republic of Congo. According to the United Nations, more than 130,000 were deported from the Republic of Congo between April and June alone, and the refugees were allegedly subject to physical and sexual abuse. Congolese authorities insisted the deportations were legitimate in order to quell insecurity.

Despite constitutional safeguards, legal and societal discrimination against women persists. Equal access to education and employment is limited, and civil codes regarding marriage formalize women’s inferior status. Most women work in the informal sector and do not receive employment benefits or protection from abusive employers. Violence against women is reportedly widespread. Rape, including marital rape, is illegal, but this common crime is rarely reported or prosecuted. Abortion is prohibited in all cases except to save the life of the mother, though there are no restrictions on access to contraceptives. Women are underrepresented in government and decision-making positions, holding just 10 seats in the National Assembly and 10 Senate seats.

Congo is a destination for and source of human trafficking, and substantial improvements to the prevention and prosecution of the practice have not occurred.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

[Full Methodology](#)